THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10956 of 2006

Dated: 28-09-2006

Between:

Kanna Suresh Babuand and others.

..... PETITIONERS

AND

The Mandal Revenue Officer, Vijayawada, and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.10956 of 2006

ORDER:

The petitioners are residents of Kothuru Tadepalli Village, Vijayawada Rural Mandal, Krishna District. They allege that their grand father late Kanna Venkateswara Rao occupied Government poramboke land admeasuring Ac.1.84 cents in R.S.No.104-1F, 105/1 situated at Vemavaram Village, hamlet of Kothuru Tadepalli Village, about four decades ago and brought the land into cultivation. The petitioners are allegedly now cultivating the land. They made representations to the respondents for grant of pattas, which are still pending. Even while their representations are pending, it is alleged that the staff from the office of respondent No.1 directed them not to cultivate the land without issuing any notice to them. Therefore, they filed instant writ petition seeking a direction to respondents not to evict them without due process of law.

After hearing the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue (General), this Court is of the considered opinion that the writ petition is filed on mere apprehension. As rightly pointed out by the learned Assistant Government Pleader, if the petitioners are in possession of Government land, unless and until proper notice is issued to them, they cannot be evicted from the land. Recording the same the writ petition is dismissed. No costs.

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(**V.V.S.RAO, J**)

28th September, 2006

ghn